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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

14 Plaintiff,

15 vs.

16 MARK LESLIE, et al.,

17 Defendants.

Civil Action No. C 07-3444 JF

**PLAINTIFF SECURITIES AND  
EXCHANGE COMMISSION'S  
RESPONSE TO DEFENDANTS  
LESLIE'S, LONCHAR'S, AND  
SALLABERRY'S REQUESTS FOR  
JUDICIAL NOTICE OF CERTAIN  
DOCUMENTS IN SUPPORT OF THEIR  
MOTIONS TO DISMISS**

Date: January 18, 2008

Time: 9:00 a.m.

Location: Courtroom 3, 5<sup>th</sup> Floor  
Hon. Jeremy Fogel

PLAINTIFF SECURITIES AND EXCHANGE  
COMMISSION'S RESPONSE TO DEFENDANTS  
LESLIE'S, LONCHAR'S, AND SALLABERRY'S  
REQUESTS FOR JUDICIAL NOTICE OF  
CERTAIN DOCUMENTS IN SUPPORT OF THEIR  
MOTIONS TO DISMISS  
SEC v. MARK LESLIE, et al., Civil Action No. C  
07-3444 -JF

1 Plaintiff Securities and Exchange Commission (the “SEC” or “Commission”) respectfully  
 2 submits this response to defendants Leslie’s, Lonchar’s and Sallaberry’s requests for judicial notice  
 3 in support of their motions to dismiss.

4 The Commission has no objection as to the defendants’ requests for judicial notice of those  
 5 documents which are governed by Fed. R. Evid. 201. For example, the Commission has no objection  
 6 as to the SEC filings of Veritas from the period relevant to this action.

7 However, to the extent that the defendants are using any of the documents referred to in their  
 8 requests to obtain any determination of factual issues in connection with their motions to dismiss, the  
 9 Commission objects to such use of the documents.

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 11 Dated: December 3, 2007

Respectfully submitted,

12  
 13 /s/ Richard Hong  
 14 Richard Hong  
 Jeffrey B. Finnell  
 Thomas D. Manganello

15 United States Securities and Exchange Commission  
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18  
 19 Attorneys for Plaintiff United States  
 Securities and Exchange Commission

CERTIFICATE OF SERVICE

Pursuant to 28 U.S.C. § 1746, I hereby certify that on this day, December 3, 2007, I electronically filed the foregoing Plaintiff SEC's Response to Defendants Leslie's, Lonchar's and Sallaberry's Requests for Judicial Notice in Support of Their Motions to Dismiss with the Clerk of the Court by using the ECF system and relied upon that system's automatic service of the foregoing document upon counsel, which will send notification of such filing to the ECF participants.

In addition, on this day, December 3, 2007, the undersigned caused a copy of the foregoing document to be served by regular first class mail to the following:

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/s/ Richard Hong  
 Counsel for Plaintiff SEC